

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gen MOTOYOSHI



Title: CDMA COMMUNICATION SYSTEM CAPABLE  
OF FLEXIBLY ASSIGNING SPREADING CODES  
TO A CHANNEL IN ACCORDANCE WITH  
TRAFFIC

Appl. No.: 09/888,393

Filing Date: 06/26/2001

Examiner: Unknown

Art Unit: 1398

**RECEIVED**  
MAR 29 2002  
**TC 1700**

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

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APR 08 2002

Technology Center 2600

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

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The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding British application. A copy of the British Search Report is attached setting forth the portion of each document considered relevant by the examiner. English-language translations of the foreign-language documents has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609). English language abstracts are attached.

**STATEMENT**

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing this Statement.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 26, 2002

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Customer Number: 22428



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Substitute for form 1449B/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	09/888,393
Date Submitted: March 26, 2002 <i>(use as many sheets as necessary)</i>				Filing Date	06/26/2001
				First Named Inventor	Gen MOTOYOSHI
				Group Art Unit	1398
				Examiner Name	Unknown
Sheet	1	of	1	Attorney Docket Number	016778-0432

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
RECEIVED MAR 16 2002 TRADEMARK OFFICE USPTO						
RECEIVED APR 03 2002 TC 1700						
RECEIVED MAR 29 2002 TC 1700						
RECEIVED APR 04 2002 TC 1700						
RECEIVED APR 08 2002 TC 1700						
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office <sup>3</sup>	Number <sup>4</sup>			
A1	EP	1 024 611		SCHULZ et al.	08/02/2000	abs.
A2	EP	0 942 541		WATANABE et al.	09/15/1999	
A3	EP	0 765 096		TANNO et al.	03/26/1997	
A4	WO	99/60809		FREDRIK et al.	11/25/1999	
A5	JP	11-331123		TAKANO et al.	11/30/1999	abs.
A6	JP	10-79979		NAKASE et al.	03/24/1998	abs.

#### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.